

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

METROPOLITAN CAPITAL ADVISORS  
INTERNATIONAL LTD. and JEFFREY E.  
SCHWARZ, derivatively on behalf of NAVIOS  
MARITIME ACQUISITION CORPORATION

Plaintiffs,

v.

NAVIOS MARITIME HOLDINGS, INC.,

Defendant,

-and-

NAVIOS MARITIME ACQUISITION  
CORPORATION,

Nominal Defendant.

**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: APR 29 2016**

Case No. 1:16-cv-02437

Judge: Alison J. Nathan

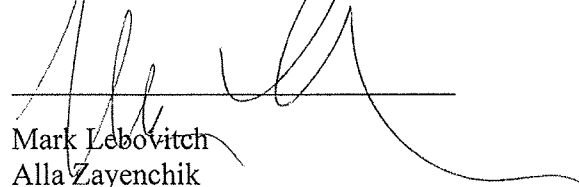
**VOLUNTARY DISMISSAL OF  
PLAINTIFF METROPOLITAN  
CAPITAL ADVISORS LTD.**

Pursuant to Rules 23.1(c) and 41(a)(2) of the Federal Rules of Civil Procedure, and in order to maintain the diversity jurisdiction of this Court, Plaintiff Metropolitan Capital Advisors International Ltd., through its undersigned counsel, hereby requests that the Court approve its voluntarily dismissal in the above-captioned action solely as to itself without prejudice and without cost to any party. This voluntary dismissal shall not affect the rights or claims of Plaintiff Jeffrey E. Schwarz, who will remain a plaintiff in the above-captioned action until all related matters, including his anticipated request for an award of attorneys' fees, are resolved.



Dated: New York, New York  
April 28, 2016

**BERNSTEIN LITOWITZ  
BERGER & GROSSMANN LLP**



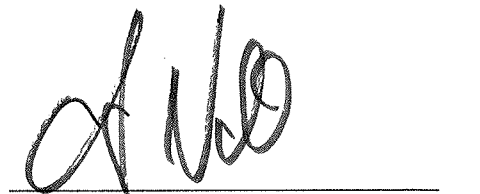
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Mark Lebovitch  
Alla Zayenchik  
John Vielandi  
David MacIsaac  
1251 Avenue of the Americas  
44th Floor  
New York, NY 10020  
(212) 554-1400

*Attorneys for Plaintiffs Metropolitan  
Capital Advisors International Ltd. and  
Jeffrey E. Schwarz*

SO ORDERED.

DATED: April 29, 2016



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Alison J. Nathan  
United States District Judge

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